

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No. 05-10637-GAO

IN THE MATTER OF THE PETITION)
OF KAVANAGH FISHERIES, INC.,)
OWNER OF THE F/V ATLANTIC,)
FOR EXONERATION FROM OR)
LIMITATION OF LIABILITY)

LOCAL RULE 16.1(D) CERTIFICATION

The Petitioner, Kavanagh Fisheries, Inc., hereby certifies that counsel, Kavanagh Fisheries, Inc., and Kavanagh's insurance carriers have conferred in order to comply with Local Rule 16.1(D), as indicated by the signature attached hereto.

We have specifically conferred with a view towards establishing a budget for the costs of conducting a full course of litigation, and to consider the possible use of alternative dispute resolution as a means of resolving this case.

The petitioner and its insurers have an open mind regarding the possibility of mediation, but prefer to defer any decision until after discovery is completed.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS ____
DAY OF _____, 2006.

KAVANAGH FISHERIES, INC.
By its attorneys,

REGAN & KIELY LLP

/s/ Joseph A. Regan

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